

John Lynch

From: Lewis, Sally A <Sally.Lewis@brevardcounty.us>
Sent: Wednesday, September 03, 2014 10:27 AM
To: Advanced Agenda; Kennedy, Isabel; CGroup; CNTYATY_Staff; CNTYMGR_Staff
Cc: Guppenberger, Mandy; Jones, Jennifer; Mark VanBever; /o=BrevardCounty/ou=First Administrative Group/cn=Recipients/cn=Lisa.Nicholas31557788; Barbara Jagrowski ; Bonnie Canada; Carol Buchert; Carol McDonald; Celene Morgan; Cheryl Dawson; Colleen Johnson; Curt Lorenc (wxradar@ij.net); Dane Theodore ; Dave Berman (dberman@floridatoday.com); Dave Isnardi; Deborah Barker; Dina Reider-Hicks; Doug and Mary Sphar (canoe2@digital.net); Eddie Thompson (eddie.thompson.fl@gmail.com); Elizabeth Huy; Esme Doucette; Gene Klausman; Gregory Pelham; Jan Conrad; Jennifer Hashagen; Jim Tulley, Mayor; John D. Moore ; Julie Roslin; Graham, Karen; Kathy Moore; Kendall T. Moore (kendall@meblawfirm.com); Kristin Bakke, CAE; Linda Weatherman, President ; Lisa Gillis; Marlene Adams (m.adams722@gmail.com); Mary Ellen McKibben; Matthew D Nye; Houssell, Maureen; Maureen Rupe (Rupe32927@earthlink.net); Megan Warren; Michael Gaffney; Mike Cunningham (micco5756@juno.com); Paul Saia; Rick Neale; Robert Lancaster; Sandra Clinger (sandymc@cfl.rr.com); Susan Canada (gatordemi@yahoo.com); Christine Mulligan; Donna Scott; John Lynch; Kelly Fulton; Tammy Etheridge; Bill Hoskovec, Town Manager; Bonilyn Wilbanks-Free, Town Administrator; C. Chinault, Town Manager; Carol McCormack, Mayor; Courtney Barker, City Manager; David Greene, City Manager; Gail Griswold, Town Clerk; Jack Schluckebier, City Manager; Jim McKnight, City Manager; John Titkanich, Jr., City Manager; Mark Ryan (mryan@indianharbour.org); Rick Hood, Town Manager; Robert Majka, City Manager; Scott Morgan, City Manager W. Melbourne; Sue Hann, City Manager; Tom Abbate, Interim City Manager
Subject: 9-4-14 Changes to Adv Agenda

Good Morning,
Please delete Item V A, New Business from your Zoning Agenda.
Thank you,
Sally

Sally Lewis
2725 Judge Fran Jamieson Way
Viera, Fl. 32940
321-633-2010
Sally.lewis@brevardcounty.us

Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Woodard, Patrick

From: Scott, Mel
Sent: Wednesday, September 03, 2014 4:52 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; D4_Users; Commissioner, D5
Cc: Whitten, Stockton E; Denninghoff, John P; Brown, Ernest N; Szyrka, Richard; sglaubitz@bseconsult.com; McClure, Bach
Subject: Cocoa Expo Sports Center - Stormwater Model

Commissioners,

You have been copied on numerous email strings that document the divergent views of County engineers, BSE Consultants, Inc. (on behalf of the Cocoa Expo), and CDM Smith (hired by the County as a 3rd party review), regarding the modeling efforts that should be used to establish the "base flood elevation" (BFE) for the proposed develop for the Cocoa Expo facility to the west of Friday Road.

I send this email to each of you to inform you that I asked these 3 parties to convene, as soon as their schedules would allow, which will be on September 16th. During this meeting the engineers will collaboratively review the modeling data, and if deemed appropriate, will inspect specific field conditions.

Given the tremendous investment that County citizens have made in this area to eliminate future flooding events, we are obligated to scrutinize any proposed lowering of BFEs below that dictated by accepted SJRWMD data and watershed studies that formed the basis for past State and Federally permitted stormwater improvements in this area. We also remain cognizant that new BFEs for this watershed could be used for development other than the subject project.

I look forward to this open and collaborative meeting and hope that it will result in agreement regarding a data set that can be used for modeling BFEs for future site plan approvals.

Regards,
Mel Scott, AICP
Assistant County Manager

From: Julie Bernal [<mailto:JBernal@bseconsult.com>]
Sent: Thursday, August 28, 2014 2:53 PM
To: Brown, Ernest N
Cc: Whitten, Stockton E; Scott, Mel; Denninghoff, John P; Szyrka, Richard; Brown, Ernest N; Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5; Scott Glaubitz; Hassan Kamal; Ana Saunders; Ken Ludwa; Jeff Unnerstall (uplandd@hotmail.com)
Subject: Cocoa Expo Sports Center (County # 13-ER-00890) (BSE # 11123)

Mr. Brown,

See attached response to your correspondence dated August 26, 2014 (also attached) in regards to the above referenced project.

Julie Bernal
Executive Assistant
B.S.E. Consultants, Inc.
312 South Harbor City Blvd., Suite 4

Donna Scott

From: Jones, Jennifer <jennifer.jones@brevardcounty.us>
Sent: Tuesday, August 26, 2014 4:36 PM
To: Christine Mulligan; Donna Scott; John Lynch; Kelly Fulton; Tammy Etheridge
Subject: revised Zoning agenda
Attachments: 09-04-14 BCC Agenda.docx

Ugh! I forgot to add DISTRICT 2 above the last item on the agenda, III.B.9. Sally said she'd have some add-on's for this agenda, so if you want to wait and add DISTRICT 2 after she sends you her stuff, that's fine with me. Feels like a Monday.

Thank you, as always,
Jen

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DISTRICT 1

III.B.5. (14PZ-00057) – ANITA TRICOLI – requests a change of classification from GU to AU(L) on 1.08 acres, located on the north side of Areca Palm St., approx. .087 mile west of Florida Palm Ave. (5480 Areca Palm St., Cocoa)

P&Z Recommendation: Ott/Barber – Approved. Vote was unanimous.

III.B.6. (14PZ-00061) – BRIAN BURT AND LINDA GRZYBOWICZ – request a change of classification from RR-1 to AU, and removal of existing BDP on 14.43 acres, located on the north side of Parrish Rd., approx. 0.20 mile east of U.S. Hwy 1 (No assigned address. In the Mims area)

P&Z Recommendation: Ott/Moia – Approved. Vote was unanimous.

III.B.7. (14PZ-00064) – MARY ELLEN R. WILLIAMS – requests a change of classification from RR-1 to AU on 2.75 acres, located on the southwest corner of Quail Path and Cox Rd, approx. 0.20 mile south of James Rd. (2520 Cox Rd., Cocoa)

P&Z Recommendation of 08/25/14: McLellan/Cannon – Approved. Vote was unanimous.

THE FOLLOWING ITEM WAS HEARD BY THE BCC ON 02-06-14 AND APPROVED WITH A BDP. THE BOARD AGREED TO REOPEN THE PUBLIC HEARING ON 04-15-14

III.B.8. (13PZ-00098) FLORIDA RIVER RAT, LLC – (Jay Schenck) – requests a change of classification from AU and EU-2, with a BDP, to BU-1 on the west 400 feet (3.43 acres); and AU on the remaining 7.26 acres, with removal of existing BDP, on 10.69 acres, located on the east side of U.S. 1, approx. .23 mile north of Silver Hill Lane. (No assigned address. In the Cocoa area.)

P&Z Recommendation of 01-06-14: Cannon/Goggin – Approved. Vote was unanimous.

BCC ACTION of 02-06-14: Fisher/Anderson – Approved with a Binding Development Plan limited to nursery operations and beekeeping. Vote was unanimous.

BCC ACTION of 04-15-14: Anderson/Nelson – Moved to reopen the public hearing, to be continued at a later date, following re-advertisement and re-noticing at the applicant's expense; and the motion effectively stayed the 120-day period and re-set it once the hearing has been concluded.

P&Z Recommendation of 08/11/14: Thodey/Moia – Tabled to the 09/08/14 P&Z Meeting for applicant to post sign. Vote was unanimous.

DISTRICT 2

THE FOLLOWING ITEM WAS TABLED BY P&Z ON 07/07/14 AT THE REQUEST OF THE APPLICANT

III.B.9. (14PZ-00047) – JOHN E. AND LAURAY AITCHESON – request a change of classification from RU-1-13 to IN(L) on 0.29 acres, located on the southwest corner of Green Rd., and Fiske Blvd. (1003 Green Rd., Rockledge)

P&Z Recommendation: Moia/Ott – Approved. Vote was unanimous.

III. PUBLIC HEARINGS

A. Tabled Items

DISTRICT 1

THE FOLLOWING ITEM WAS HEARD BY P&Z ON 05/05/14 AND WAS AUTOMATICALLY TABLED BY THE APPLICANT TO THE 08/07/14 MEETING (Letter Received 05/15/14); AND TABLED BY THE BCC ON 08/07/14

III.A.1. (14PZ-00033) – JOSEPH K. AND ANNETTE G. DITTMER – request a change of classification from GU to AU(L) on 1.01 acres, located on the north side of Caraway Street, approx. 154 feet west of Cherokee Ave. (3222 Caraway St., Cocoa)

P&Z Recommendation: Ott/Barber – Denied. Vote was unanimous.

THE FOLLOWING TWO ITEMS WERE HEARD BY P&Z ON 05/05/14 AND TABLED BY THE BCC ON 05/29/14 AND 08/07/14

III.A.2. (14PZ-00021) – COCOA EXPO SPORTS CENTER, LLC – (Scott Glaubitz) – requests the following:
Tax Parcel 516 (.53 acres) 1.) A change of classification from TR-1 to BU-1, with a Small Scale Plan Amendment (14S.02) to change the Future Land Use from NC to CC; 2.) CUP for Alcoholic Beverages for On-Premises Consumption; 3.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the 75 ft. required perimeter setback for athletic fields and ancillary improvements; 4.) CUP for a light source to exceed 50 footcandles; and 5.) Acceptance of a modified BDP to include this property.

Tax Parcel 502 (47.87 acres) 1.) CUP for a light source to exceed 50 footcandles; and 2.) Amendment to existing BDP (Binding Development Plan). (48.4 acres total) Located on the east side of Friday Rd., approx. 490 feet north of S.R. 520 (Tax Parcel 516: 420 Friday Rd., Cocoa; Tax Parcel 502: 500 Friday Rd., Cocoa)

LPA Recommendation: Moia/McLellan – Approved. Vote was unanimous.

P&Z Recommendation: Moia/McLellan – Approved with the condition that Tax Parcels 515 and 524 have a Type A buffer. Vote was unanimous.

III.A.3. (14PZ-00022) – COCOA EXPO SPORTS CENTER, LLC – (Scott Glaubitz) – requests the following:
Tax Parcel 758 (2.36 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Acceptance of a modified BDP to include this property.

Tax Parcel 762 (.86 acres) 1.) A change of classification from TR-1 to BU-1 and a Small Scale Plan Amendment (14S.03) to change the Future Land Use from NC to CC; 2.) CUP for Alcoholic Beverages for On-Premises Consumption; 3.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 4.) CUP for a light source to exceed 50 footcandles; and 5.) Acceptance of a modified BDP to include this property.

Remainder of Tax Parcel 762 (4.5 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Acceptance of a modified BDP to include this property.

Tax Parcel 817 (.48 acres) 1.) A change of classification from AU to BU-1 and a Small Scale Plan Amendment (14S.03) to change the Future Land Use on that portion with an NC designation to CC; 2.) CUP for Alcoholic Beverages for On-Premises Consumption; 3.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or an area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 4.) CUP for a light source to exceed 50 footcandles; and 5.) Acceptance of a modified BDP to include this property.

Remainder of Tax Parcel 817 (1.76 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Acceptance of a modified BDP to include this property.

Tax Parcel 760 (5.45 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Amendment to an existing BDP. (15.5 acres total) Located on the northwest corner of S.R. 520 and Friday Rd., Cocoa. (Tax Parcel 758: 5120 Highway 520, Cocoa. Parcel 762: No assigned address. Parcel 817: No assigned address. Parcel 760: 335 Friday Rd., Cocoa)

LPA Recommendation: *Thodey/Moia – Approved. Vote was unanimous.*

P&Z Recommendation: *Thodey/Moia – Approved. Vote was unanimous.*

B. P&Z and NMI Board Recommendations of August 11, August 14 (NMI), and August 25, 2014

DISTRICT 2

III.B.1. (14PZ-00056) – LOYAL ORDER OF THE MOOSE LODGE #2073 - (John Campbell) – requests a Small Scale Plan Amendment from Residential 2 to Residential 4, and an amendment to an existing BDP, in an RVP (Recreational Vehicle Park) zoning classification, on 5 acres, located on the east side of N. Courtenay Pkwy., approx. 300 ft. north of Smith Road. (3150 N. Courtenay Pkwy., Merritt Island)

NMI Recommendation:

LPA Recommendation:

III.B.2. (14PZ-00063) – SIRIPORN PESKOWITZ, TRUSTEE – (Phillip Finn) – requests a Small Scale Plan Amendment (14S.06) to change the Future Land Use from NC to CC; and a change of classification from RU-1-7 to BU-2 on 1.24 acres, located on the north side of Lake Dr., approx. 0.24 mile west of Clearlake Rd. (No assigned address. In the Cocoa area.)

LPA Recommendation: *Thodey/Moia – Approved. Vote was unanimous.*

P&Z Recommendation: *Thodey/Moia – Approved. Vote was unanimous.*

DISTRICT 3

III.B.3. (14PZ-00060) – HARBORVIEW MOTEL & EFFICIENCIES, INC. – (Jeffrey Patton) – requests a CUP for Alcoholic Beverages for On-Premises Consumption (full liquor) in a TU-1 zoning classification, on 0.43 acre, located on the northwest corner of U.S. Hwy 1 and 13th Street. (8820 U.S. Hwy 1, Micco)

P&Z Recommendation: *McLellan/Cannon – Approved. Vote was unanimous.*

III.B.4. (14PZ-00065) – JOHN TULLY PROPERTIES LLC – (Laura Minton Young) – request a change of classification from RR-1 and GU to AU on 440.95 acres, located on the east side of Fleming Grant Rd., approx. 1.65 mile south of Micco Rd. (Lot 57: 9101 Fleming Grant Rd. All others located in the Micco area, no assigned addresses)

P&Z Recommendation: *McLellan/Ott – Approved. Vote was unanimous.*

Donna Scott

From: Jones, Jennifer <jennifer.jones@brevardcounty.us>
Sent: Monday, August 25, 2014 4:45 PM
To: Commissioner Robin Fisher; Newell, Marcia; Commissioner Chuck Nelson; Alward, Elizabeth M; Klinger, Kelli; Martens, Richard H; Commissioner Trudie Infantini; Mannier, Linda; Helton, Lori; Commissioner Mary Bolin; Woodard, Patrick; Tice, Molly; Commissioner Andy Anderson; Johnson, Dawn; Scott, Mel; Lewis, Sally A; Skambraks, Anda C; White, Jonathan; Walker, Don; Christine Mulligan; Donna Scott; John Lynch; Kelly Fulton; Tammy Etheridge
Subject: 09-08-14 P&Z/LPA Agenda
Attachments: 09-08-14 P&Z Agenda.docx

Attached is the agenda for the September 8th P&Z/LPA meeting.

Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

III. PUBLIC HEARINGS

B. PLANNING & ZONING BOARD
MONDAY, September 8, 2014 – 3:00 P.M.

&
BOARD OF COUNTY COMMISSIONERS
TUESDAY, SEPTEMBER 16, 2014 – 9:00 A.M.
(LPA Item and Administrative Rezoning Item ONLY)

&
BOARD OF COUNTY COMMISSIONERS
THURSDAY, October 2, 2014- 5:00 P.M.

All at the
BREVARD COUNTY GOVERNMENT CENTER
2725 Judge Fran Jamieson Way, Bldg. C, Viera, Florida

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

LPA AGENDA:

1. An ordinance modifying various Sections of the Brevard County Code, creating the Communications Facilities Ordinance of Brevard County, Florida.

LPA Recommendation:

BCC ACTION OF 09/16/14:

BCC ACTION OF 10/02/14:

P&Z AGENDA:

DISTRICTS 1 - 5

III.C.1. – (ADMINISTRATIVE REZONING) – Proposed Zoning Overlay for the Development of Communication Facilities within Certain County-owned Properties by Tax Account Numbers

P&Z Recommendation:

BCC ACTION of 09/16/14:

BCC ACTION of 10/02/14:

DISTRICT 5

THE FOLLOWING ITEM WAS AUTOMATICALLY TABLED FROM THE 07/07/14 P&Z MEETING AND THE 08/07/14 BCC MEETING (Letter received 06/25/14)

III.B.1. (14PZ-00055) – MORTGAGE INVESTMENT FUND I, LLC – requests an amendment to an existing CUP for Commercial, Entertainment, and Amusement Enterprises, to include racing, swap meets, and vehicle shows for cars, air boats, tractors, trucks, riding lawn mowers, go carts, and ATV's, with spectator seating, concessions, and a grandstand for awards and live music, with a waiver of 50 ft. from the required 75 ft. setback for a building, mobile home, trailer, vehicle, or maintenance equipment, in an IU zoning classification, on 21.84 acres, located on the south side of Eau Gallie Blvd., approx. 410 ft. west of Jones Rd. (Tax Parcel 751: No assigned address. In the Melbourne area; Tax Parcel 753: 835 Paw Prints Ave., Melbourne; Tax Parcel 766: No assigned address. In the Melbourne area)

P&Z Recommendation:

BCC ACTION:

DISTRICT 1

III.B.2. (14PZ-00070) – KYLE LANE, INC. - (Katherine Johnson) – requests a change of classification from BU-2 to AGR, on 14.38 acres, located on the south side of Parrish Rd., approx. 0.12 mile west of Range Rd. (2704 Kyle Lane, Cocoa)

P&Z Recommendation:
BCC ACTION:

DISTRICT 2

III.B.3. NMI Item

DISTRICT 1

THE FOLLOWING ITEM WAS HEARD BY THE BCC ON 02-06-14 AND APPROVED WITH A BDP. THE BOARD AGREED TO REOPEN THE PUBLIC HEARING ON 04-15-14. ON 08-11-14 THE P&Z BOARD TABLED THE ITEM TO THE 09-08-14 P&Z MEETING FOR APPLICANT TO POST SIGN

III.B.4. (13PZ-00098) FLORIDA RIVER RAT, LLC – (Jay Schenck) – requests a change of classification from AU and EU-2, with a BDP, to BU-1 on the west 400 feet (3.43 acres); and AU on the remaining 7.26 acres, with removal of existing BDP, on 10.69 acres, located on the east side of U.S. 1, approx. .23 mile north of Silver Hill Lane. (No assigned address. In the Cocoa area)

P&Z Recommendation of 01-06-14: Cannon/Goggin – Approved. Vote was unanimous.

BCC ACTION of 02-06-14: Fisher/Anderson – Approved with a Binding Development Plan limited to nursery operations and beekeeping. Vote was unanimous.

BCC ACTION of 04-15-14: Anderson/Nelson – Moved to reopen the public hearing, to be continued at a later date, following re-advertisement and re-noticing at the applicant's expense; and the motion effectively stayed the 120-day period and re-set it once the hearing has been concluded.

P&Z Recommendation:
BCC ACTION:

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the Planning and Development Department no later than 48 hours prior to the meeting at (321) 633-2069. Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV Staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONES REMAIN OFF during the meeting. Thank you.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Bright House Networks Cable Channel 199, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13.